

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Lim

Serial No.: **10/763,115**

Filed: **January 22, 2004**

For: **Expanding Interbody Implant and
Articulating Inserter and Method**

Docket No: **PC883.00/4906-017**

PATENT PENDING

Examiner: David C. Comstock

Group Art Unit: 3733

Confirmation No.:6097

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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December 15, 2008

Date

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This correspondence is being:

- ☒ electronically submitted via EFS-Web

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This paper is being filed in response to the Notice of Non-Compliant Amendment mailed December 5, 2008. Claim 42, line 7 has been changed to now include double brackets around the removed article "a". The strikethrough of the article "a" in the previous Response filed August 15, 2007, apparently was not easily perceived. The remainder of this Response is identical to the previous Response. While no fees should be required for entry of this Response, if any fees or charges are required, the Commissioner is hereby authorized to charge them to Deposit Account 18-1167.